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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,363	11/22/2000	Jari Suutarinen	796.377USW1	6589
32294	7590	09/22/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P.			LEE, JOHN J	
14TH FLOOR			ART UNIT	
8000 TOWERS CRESCENT			PAPER NUMBER	
TYSONS CORNER, VA 22182			2684	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/721,363	Applicant(s) SUUTARINEN, JARI	
	Examiner JOHN J. LEE	Art Unit 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments with respect to claims 1 – 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 – 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 1, 12, and 16, the limitation “the tracing mobile communications system activities of a **trace activation event** relating of the mobile station” is indefinite because it is not clear what is claimed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 12, 13, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foti (US Patent number 5, 974,309) in view of Dunn et al. (US Patent number 5,873,040).

Regarding **claim 12**, Foti discloses that a mobile communications system (Fig. 1 and column 1, lines 9 – 11). Foti teaches that at least one mobile station (14 in Fig. 1). Foti teaches that a communications network with which said at least one mobile station (14 in Fig. 1) is arranged to communicate (Fig. 1 and column 2, lines 51 – column 3, lines 32, where teaches identifying the switching node that currently serves the called mobile station subscriber). Foti teaches that tracing facility for tracing mobile communications system activities relating to at least one of said mobile stations (column 3, lines 9 – 44, abstract, and Fig. 1, law enforcement tracing center monitors a mobile station). Foti teaches that the tracing facility (28 in Fig. 1) has a predefined trace activation number (particular directory number of called party (calling line identification)) for activating tracing of mobile communications system activities of a trace activation event (it is not clear what is claimed, but examiner is interpreted source of the call, calling line identification) relating to said at least one mobile station (14 in Fig. 1) in response to a communication from said at least one mobile station to the predefined trace activation number (when mobile station calls predefined directory number of particular party or called party, enforcement tracing center automatically activates the tracing of the call by setting up, see Fig. 3, abstract, and column 5, lines 60 – column 6, lines 29).

Foti does not specifically disclose the limitation “the tracing facility includes a receiver of the communication”. However, Dunn discloses the limitation “the tracing facility includes a receiver of the communication” (Fig. 1 and column 1, lines 66 – column 2, lines 55, where teaches a mobile station directly calls predefined telephone number (911) to emergency assistance center having a receiver of communication, and

the emergency assistance center automatically activates tracing location, telephone path, number). It would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify Foti system as taught by Dunn, provide the motivations to achieve an efficient mobile tracing service for emergency situation in mobile communication system.

Regarding **claim 13**, Foti and Dunn disclose all the limitation, as discussed in claim 12.

Regarding **claim 15**, Foti discloses the recording mechanism for recording all information available to a network concerning a call path, including internal messages of the network (Fig. 3, abstract, and column 5, lines 60 – column 6, lines 29, where teaches recording all tracing information by tape recorder).

6. Applicant's amendment necessitated the new ground(s) of rejection presented in his Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Levine (US Patent number 4,531,023) discloses Computer Security System for a Time Shared Computer Accessed Over Telephone Lines.

Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay**

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Aung Maung, can be reached on (571) 272-7882. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L
September 16, 2005

9/16/05
Tilahun Gesesse
TILAHUN GESESSE
PRIMARY EXAMINER

John J Lee